

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

1/23/2008

LAKE GRINNELL ASSOCIATION,)	
Plaintiff,)	DOCKET NO. 06-4919
vs.)	
TOWNSHIP OF SPARTA, NEW JERSEY)	
DEPARTMENT OF TRANSPORTATION,)	
FEDERAL HIGHWAY)	SETTLEMENT CONSENT ORDER
ADMINISTRATION, NEW JERSEY)	
STATE HISTORIC PRESERVATION)	
OFFICE, AND COUNTY OF SUSSEX,)	
Defendants.)	

This matter having been scheduled before the court as a settlement conference, Stuart J. Lieberman, Esq., appearing on behalf of the Plaintiff, Arlene R. Weiss, DAG, appearing on behalf of the New Jersey Department of Transportation, Robert B. Campbell, Esq., appearing on behalf of the County of Sussex, Ursula Henrich Leo, Esq., attorney for the Township of Sparta, and Daniel J. Gibbons, AUSA; and whereas, the NJDOT has entered on the record the fact that it will install scuppers (holes in the bridge for drainage) which will permit drainage onto the railroad tracks, consistent with the manner in which the drainage occurred when the prior bridge was in place, and will take such other steps needed to meet this objective if the scuppers do not suffice to permit drainage as it occurred prior to bridge replacement; and the parties having determined that it is in everyone's interest to resolve this case through amicable settlement, with each party voluntarily participating in the settlement without making any admissions; it is therefore agreed by the parties that this case is settled under the following terms:

1. A weight limit of four tons will be imposed over the Lake Grinnell Bridge and signs to the extent necessary to make this limit legally enforceable by the police will be installed by the Township of Sparta.
2. The Township of Sparta agrees to immediately take necessary steps toward having an ordinance adopted imposing a 15 mph speed limit on the bridge through the curves in the road and further, if deemed necessary by the municipal engineer. Signage to the extent necessary to make this speed limit legally binding and enforceable by the police department will be installed by the Township of Sparta.
3. The County of Sussex agrees that it will install a commemorative plaque on or immediately adjacent to the bridge with language that will be provided by the Plaintiff, subject to the County's reasonable approval.
4. The State agrees that it will provide the Plaintiff with a Haer-like report and a Cultural Research Digest as soon as these two reports are prepared by the contractor retained by the NJDOT.
5. The Judge has left this matter open for sixty (60) days should any problems arise. If the Judge does not hear from anyone within sixty (60) days, the case will be closed.
6. Each party bears its own attorneys fees and costs.

Date: 1/27/08

By:



Stuart J. Lieberman, Esq.
Attorney for Plaintiff, Lake Grinnell Association

Date: ____/____/_____

By:

Arlene R. Weiss, DAG
Attorney for Defendants, New Jersey Department of
Transportation and New Jersey State Historic
Preservation Office

1. A weight limit of four tons will be imposed over the Lake Grinnell Bridge and signs to the extent necessary to make this limit legally enforceable by the police will be installed by the Township of Sparta.
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3. The County of Sussex agrees that it will install a commemorative plaque on or immediately adjacent to the bridge with language that will be provided by the Plaintiff, subject to the County's reasonable approval.
4. The State agrees that it will provide the Plaintiff with a Haer-like report and a Cultural Research Digest as soon as these two reports are prepared by the contractor retained by the NJDOT.
5. The Judge has left this matter open for sixty (60) days should any problems arise. If the Judge does not hear from anyone within sixty (60) days, the case will be closed.
6. Each party bears its own attorneys fees and costs.

Date: ___ / ___ / ___

By:

Stuart J. Lieberman, Esq.
Attorney for Plaintiff, Lake Grinnell Association

Date: 01/07/08

By:

Arlene R. Weiss
Arlene R. Weiss, DAG
Attorney for Defendants, New Jersey Department of
Transportation and New Jersey State Historic
Preservation Office

Date: 1/18/08

By: Ursula Henrich Leo
Ursula Henrich Leo, Esq.
Attorney for Defendant, Township of Sparta

Date: ___/___/___

By: _____
Robert B. Campbell, Esq.
Attorney for Defendant, County of Sussex

Date: ___/___/___

By: _____
Daniel J. Gibbons, AUSA
Attorney for Defendant, Federal Highway
Administration

So Ordered:

mashipp
Honorable Michael Shipp, U.S.M.J.

Date: 1/28/08

Date: ___ / ___ / ___

By:

Ursula Henrich Leo, Esq.
Attorney for Defendant, Township of Sparta



Date: 1/19/2008

By:

Robert B. Campbell, Esq.
Attorney for Defendant, County of Sussex

Date: ___ / ___ / ___

By:

Daniel J. Gibbons, AUSA
Attorney for Defendant, Federal Highway
Administration

So Ordered:

Michael Shipp
Honorable Michael Shipp, U.S.M.J.

Date: 1/28/08

Date: ___ / ___ / ___

By:

Ursula Henrich Leo, Esq.
Attorney for Defendant, Township of Sparta

Date: ___ / ___ / ___

By:

Robert B. Campbell, Esq.
Attorney for Defendant, County of Sussex

Date: 1/15/08

By:

Daniel J. Gibbons
Daniel J. Gibbons, AUSA
Attorney for Defendant, Federal Highway
Administration

So Ordered:

Michael Shipp
Honorable Michael Shipp, U.S.M.J.

Date: 1/28/08